

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAILED

MAR 13 2006

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DAVID BOTSTEIN, LUC DESNOYERS, NAPOLEONE FERRARA,
SHERMAN FONG, WEI-QIANG GAO, AUDREY GODDARD, AUSTIN L. GURNEY,
JAMES PAN, MARGARET ANN ROY, TIMOTHY A. STEWART, DANIEL TUMAS,
COLIN K. WATANABE and WILLIAM I. WOOD

Application No. 10/032,996

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on February 23, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

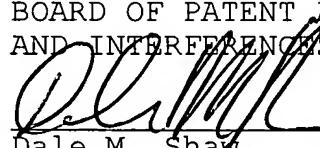
The Information Disclosure Statement was filed on July 25, 2005. There is no indication on the record that the Primary Examiner considered the IDS in accordance to the criteria set forth in 37 CFR §§ 1.97 and 1.98. A written communication

notifying appellants of the Primary Examiner's decision is required.

Accordingly, it is

ORDERED that the application is electronically returned to the Examiner 1) for consideration of the Information Disclosure Statement filed July 25, 2005; 2) written communication to appellants of such consideration; and 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES


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